IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 21082 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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VIJAYKUMAR RAMCHANDRA SHARMA - Petitioner(s)

Versus

STATE OF GUAJRAT THR' SECRETARY & 2 - Respondent(s)

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Appearance :

HL PATEL ADVOCATES for Petitioner(s) : 1,
MR SIRAJ GORI AGP for Respondent(s) : 1,2-3.

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 18/11/2005

ORAL JUDGMENT

1. Rule. Learned AGP Mr. Siraj Gori wavies service of rule on behalf of respondents.

2. The sole ground pressed by the petitioner in the present petition is that against the order dated 15th September, 2004 passed by the District Magistrate, Godhra, the appeal of the petitioner before the State Government came to be rejected on the ground of delay. Without expressing any opinion on the merits of the order passed by the District Magistrate, this petition is allowed to the limited extent by remanding the appeal of the petitioner before the State Government for its consideration on merits ignoring delay. Petition is disposed of accordingly. Rule is made absolute to the limited extent. No order as to costs.

(Akil Kureshi, J.)

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